

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PAR PHARMACEUTICAL, INC.,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	No. 11-2010
v.	:	
	:	
UCB, INC. and UCB PHARMA, S.A.,	:	
	:	
Defendants.	:	
	:	

**ORDER**

**AND NOW**, this 22<sup>nd</sup> day of July, 2011, following a preliminary pretrial conference, it is

**ORDERED** that:

1. The parties shall make their initial disclosures pursuant to FED. R. CIV. P. 26(a) by August 12, 2011, if they have not already done so. PAR Pharmaceutical shall produce its Abbreviated New Drug Application (“ANDA”) along with its initial disclosures.
2. Counsel are directed to contact Magistrate Judge L. Felipe Restrepo’s chambers regarding the scheduling of a settlement conference on or before January 20, 2012.
3. Plaintiff shall serve its invalidity and non-infringement contentions by August 29, 2011. Defendants shall serve their infringement contentions by October 11, 2011.
4. The parties shall exchange claim terms by January 9, 2012.
5. The parties shall exchange proposed claim constructions and extrinsic evidence by January 30, 2012.
6. The parties shall submit a joint claim construction statement (JCCS) by February 20, 2012.

7. The parties shall file opening Markman briefs by April 5, 2012. Responsive Markman briefs shall be filed by May 21, 2012.
8. A Markman hearing shall be held on June 19, 2012, at 9:30 a.m. Counsel are directed to contact Chambers three (3) days prior to the Markman hearing to obtain the courtroom assignment.
9. Fact discovery, which includes all depositions, shall be completed by July 23, 2012.
10. Counsel must meet and confer regarding any and all discovery disputes before submitting them to the Court for review. The certification required under LOCAL R. CIV. P. 26.1(f) must state what efforts were made to resolve the dispute. If the Court's intervention is required, the Court may impose sanctions in favor of the prevailing party, if warranted.
11. The Court encourages the submission of routine discovery disputes through the submission of letters outlining the issues in dispute. Discovery dispute letters shall not exceed three (3) pages and shall not include exhibits. Responsive letters are expected to be submitted within three (3) business days. Upon review of the discovery dispute letters, the Court may schedule a telephone conference. If a motion to compel is filed under Local R. Civ. P. 26.1(g), the motion shall not exceed five (5) pages, shall not contain exhibits, and shall not include a brief or memorandum of law, unless the motion involves the invocation of a privilege.
12. Pursuant to FED. R. CIV. P. 30(c)(2), witnesses may only be instructed not to answer questions based on a recognized privilege.
13. Each parties' opening expert reports shall be exchanged on September 6, 2012. Responsive expert reports shall be served by October 22, 2012. The close of expert discovery shall be December 21, 2012.

14. Dispositive motions shall be filed by January 21, 2013. Opposition to dispositive motions shall be filed by February 20, 2013. Reply briefs shall be filed by March 22, 2013.
15. All further deadlines shall be set pending resolution of the dispositive motions.

**BY THE COURT:**

**/s/ Mitchell S. Goldberg**

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**Mitchell S. Goldberg, J.**